

SEP. 29. 2005 4:26PM  
TO : USPTO

ZILKA-KOTAB, PC

NO. 0400 P. 1

**ZILKA-KOTAB**  
PC  
ZILKA, KOTAB & FEECE™

95 SOUTH MARKET ST., SUITE 420  
SAN JOSE, CA 95113

RECEIVED  
CENTRAL FAX CENTER

SEP 29 2005

TELEPHONE (408) 971-2573  
FAX (408) 971-4660

FAX COVER SHEET

Date:	September 29, 2005	Phone Number	Fax Number
To:	Board of Patent Appeals & Interferences, USPTO		(511) 273-8300
From:	Kevin J. Zilka		

Docket No.: AMDCP001

App. No: 09/924,391

Total Number of Pages Being Transmitted, Including Cover Sheet: 05

Message:

Please deliver to the Board of Patent Appeals and Interferences.

Thank you,

Kevin J. Zilka

Original to follow Via Regular Mail  Original will Not be Sent  Original will follow Via Overnight Courier

RECEIVED  
OIPE/IAP

SEP 29 2005

\*\*\*\*\*  
The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (if long distance, please call collect) and return the original message to us at the above address via the U.S. Postal Service. Thank you.  
\*\*\*\*\*

IF YOU DO NOT RECEIVE ALL PAGES OR IF YOU ENCOUNTER  
ANY OTHER DIFFICULTY, PLEASE PHONE \_\_\_\_\_Erica\_\_\_\_\_  
AT (408) 971-2573 AT YOUR EARLIEST CONVENIENCE

September 29, 2005

Practitioner's Docket No. AMDCP001

PATE~~Y~~ RECEIVED  
CENTRAL FAX CENTER

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Tal Givoly

SEP 29 2005

Application No.: 09/924,391                          Group No.: 2155  
 Filed: August 7, 2001                                  Examiner: Philip B. Tran  
 For: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR PROCESSING  
 NETWORK ACCOUNTING INFORMATION

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
 TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
 (37 C.F.R. § 1.191)**

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed June 29, 2005, twice rejecting claims 1, 3-5, 7-11, 13, 14, 16-20, and 23.

**1. STATUS OF APPLICANT**

This application is on behalf of other than a small entity.

---

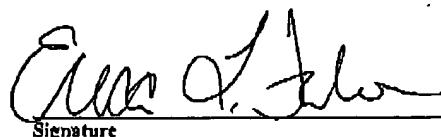
**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***  
 (When using Express Mail, the Express Mail label number is **mandatory**;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

<input type="checkbox"/> deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. <input type="checkbox"/> 37 C.F.R. § 1.8(a) <input type="checkbox"/> with sufficient postage as first class mail.	<b>MAILING</b> <input type="checkbox"/> as "Express Mail Post Office to Addressee" Mailing Label No. _____ (mandatory)
--	--

facsimile transmitted to the Patent and Trademark Office, (571) 273-8300.

Date: 9/29/2005



Signature

Erica L. Farlow  
 (type or print name of person certifying)

\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Notice of Appeal from the Primary Examiner to Board--page 1 of 2

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

other than Small entity	\$500 .00
Notice of Appeal fee due	\$500 .00

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee \$0.00 (paid previously on 4/20/04 & 9/29/05)  
**TOTAL FEE DUE \$0.00**

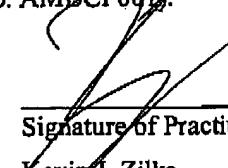
**5. FEE PAYMENT**

Applicant believes that only the above fees are due in connection with the filing of this paper because the Notice of Appeal fee was paid with a previous submission. However, the commissioner is authorized to charge any fees that may be due (e.g. for any reason including, but not limited to fee changes, etc.) to deposit account 50-1351 (Order No. AMDCP001).

A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. AMDCP001).

  
Signature of Practitioner

Kevin J. Zilka  
Zilka-Kotab, PC  
P.O. Box 721120  
San Jose, CA 95172-1120  
USA

Reg. No.: 41,429  
Tel. No.: 408-971-2573  
Customer No.: 28875



Practitioner's Docket No. AMDCP001

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED  
CENTRAL FAX CENTER**

In re application of: Tal Givoly

**SEP 29 2005**

Application No.: 09/924,391

Group No.: 2155

Filed: August 7, 2001

Examiner: Philip B. Tran

For: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR PROCESSING  
NETWORK ACCOUNTING INFORMATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)**

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed June 29, 2005, twice rejecting claims 1, 3-5, 7-11, 13, 14, 16-20, and 23.

**1. STATUS OF APPLICANT**

This application is on behalf of other than a small entity.

**CERTIFICATION UNDER 37 C.F.R. ' 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10\*

with sufficient postage as first class mail.

as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

facsimile transmitted to the Patent and Trademark Office, (371) 273-8300.



Signature

Date: 9/29/2005
Erica L. Farlow  
(type or print name of person certifying)

\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Notice of Appeal from the Primary Examiner to Board—page 1 of 2

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

other than Small entity	\$500 .00
Notice of Appeal fee due	\$500 .00

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee	\$0.00 (paid previously on 4/20/04 & 9/29/05)
<b>TOTAL FEE DUE \$0.00</b>	

**5. FEE PAYMENT**

Applicant believes that only the above fees are due in connection with the filing of this paper because the Notice of Appeal fee was paid with a previous submission. However, the commissioner is authorized to charge any fees that may be due (e.g. for any reason including, but not limited to fee changes, etc.) to deposit account 50-1351 (Order No. AMDCP001).

A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. AMDCP001).

  
Signature of Practitioner

Kevin J. Zilka  
Zilka-Kotab, PC  
P.O. Box 721120  
San Jose, CA 95172-1120  
USA

Reg. No.: 41,429  
Tel. No.: 408-971-2573  
Customer No.: 28875